

We are expressing our concern regarding the new regulation governing unsolicited fax advertisements which appeared in the July 25th Federal Register. As a non-profit trade association, one of our primary communication tools is faxing our membership. We use fax transmissions to bring our members up-to-date information on issues, legislation, trends, events and programs. Our members join our association to receive this information. Removing the "established business relationship" qualification from the regulation is bad for business. Forcing associations such as ours to obtain written consent from our members before faxing any fax that may be interpreted as commercial in nature adds another complexity to our efforts to communicate to our members. Who determines if our fax communication is commercial in nature? Does this mean that if we promote one of our member services to our members that this is commercial? Sending registration materials via fax for an upcoming educational seminar--this is a common practice and one our members expect. Is that type of communication considered transmitting for commercial purposes? The association community has already raised a number of concerns regarding the new regulation and has expressed concern how the FCC interprets what is of a "commercial" nature. We suggest that this is a regulation that has gone too far. What you need to stop is unsolicited fax communications selling something such as the stock broker who keeps sending us "Stock Buy of the Day" notices, as an example. Associations, members who join voluntarily, should be exempt from this type of ambiguous regulation. Thank you for the opportunity to express our views. Van W. Snider, Jr., CAE, President, Michigan Boating Industries Association